



MEETING SUMMARY
Utah Fish Health Policy Board (FHPB)
August 11, 2015, 10 AM to 2 PM
Loveland Living Planet Aquarium
12033 Lone Peak Parkway, Draper, UT, 84020

The Utah Fish Health Policy Board (FHPB) met at 10:00 a.m. at the Loveland Living Planet Aquarium in Draper, Utah on August 11, 2015.

The following Board members were present: Neal Barker (Utah Aquaculture), Robert Judd (Utah Aquaculture), Dr. Chris Wilson (DWR – Fish Pathologist), Dr. R. Paul Evans (BYU - Microbiology & Molecular Biology), Paul Dremann (Sport Fish Representative).

Other attendees: Michael Canning (DWR – Assistant Director), Anna Marie Forest (UDAF - Fish Health Specialist), Warren J. Hess, DVM (UDAF - Acting State Veterinarian), Martin Bushman (Utah Attorney General's Office), Greg Hansen (Utah Attorney General's Office), Bill Durler (UDAF), Drew Cushing (UDWR), Wade Cavender (UDWR – Fisheries Experiment Station).

Call to order, welcome and introductions – R. Paul Evans, Chair.

Approval of the minutes / summary from June 1, 2015 (handout)

Paul Evans motioned that the minutes from the previous meeting on June 1, 2015 be approved. The vote was unanimous in favor of approving the minutes.

An Emergency Transfer Agenda Item was added to the Agenda. Chris Wilson will be leading the discussion on this item.

Rule Change Discussion

Status update of the proposed changes on international import requirements

Martin Bushman summarized some of the challenges and proposed changes on international import requirements from the DWR perspective. Martin mentioned that the changes he wrote were DWR specific. There is still the question of entry permits, Certificates of Veterinary Inspection (CVI) and whether UDAF wishes to write some kind of waiver in the Fish Health Rule that CVI's are not required for certain marine aquatic animals.

Paul Evans stated that the two Rules (R58-17) and (R657-3) should work hand in hand. The issue is how to accomplish the same purpose with a minimal amount of work. Anna Forest stated that the two rules should be aligned. Mr. Evans suggested that for our next meeting we look at the changes that both DWR and UDAF are proposing re: saltwater species to allow for human consumption without going through the COR process.

Greg Hansen mentioned that he would be willing to work with Melissa Ure (UDAF Policy Analyst) in order to have the rules be in alignment with each other.

Anna Forest gave a short summary of the California importation requirements: California exempts live shellfish imported for food, which will not be placed into State waters or held in waters that discharge into State waters from requiring entry permits. However, California requires fin fish imported for food and crawfish imported for bait to have entry permits. To reduce the number of entry permits issued for food, California issues Long-term entry permits to for multiple importations from a single supplier for one year. To qualify for this type of permit, the risk of introducing diseases, parasites, or undesirable species with the imported animals must be very low. This type strategy may be desirable. Bucket of Crawfish orders / imports crawfish from Louisiana a few times per week. Having to issue entry permits for each shipment of live crawfish to every restaurant or markets that sells them may be untenable.

For Utah, Ms. Forest stated that current code requires entry permits for all live aquatic animals (fish, mollusk, crustacean or amphibian) entering the state. Additionally the people or business who import aquatic animals are required to have a COR and a variance from the wildlife board to legally possess live seafood. The Division of Wildlife has drafted language to exempt marine shellfish from COR and variance requirements listed in their code. Once the language of the exemptions is approved by the wildlife board, R58-17 should be modified to match.

The exemptions would not address crayfish, freshwater shellfish or any fin-fish held in aquaria for food. Crayfish are listed as a prohibited for collection, possession and importation by the wildlife board. They would still require a variance, COR and entry permits. Any enforcement should probably begin with educating businesses on the law. Strategies for dealing with the problem were discussed.

Electronic meeting language discussion and possible vote

It was decided that the formal language changes for Electronic Meetings be brought up as an Action Item for the next Fish Health Policy Board meeting.

Other topics were brought up for discussion at this time:

Short-term Fee-Fishing Events: There followed a discussion on wording in different sections of the R58-17 Rule. Robert Judd brought up the issue of Fee Fishing, specifically short-term Fee-Fishing events. In general, short-term fee-fishing events fall under the purview of DWR (R657-16 and R657-59). However, UDAF historically has issued COR's for short term events that charge fees. Drew Cushing stated it is the intent of the activity. Specifically, is there a direct payment intent for the short-term activity? Robert mentioned that he wanted clarification: Is he, as the provider of fish for a specific fee-fishing event, supposed to determine whether or not people are charging? It was decided to discuss further a Fee fishing language definition, possibly using different sets of examples. Is there language to better define Fee Fishing, specifically for short-term events?

Cutthroat Restoration: This was another topic that was brought up during the meeting. Anna Forest stated that UDAF Fish Health conducted an examination of the species allowed on the Departments aquaculture and fee fishing CORs. This revealed that approximately 34% have species listed that would not be authorized by the Division of Wildlife. This discrepancy was mentioned to the board along with a plan to visit facilities and determine if they actually pose a risk. Neal Barker expressed concern that changing species listed on CORs may hurt his business and urged restraint. Both Drew Cushing (DWR Warm Water Fisheries Coordinator) and Ms. Forest addressed Private Aquaculture's concerns by stressing that neither UDAF or DWR wants to put anybody out of business. The idea is that changes would only be made if measures to contain fish stocked in the pond are inadequate.

COR Issues: The Aquaculture Act (Title 4) directs the department to enforce laws and rules made by the Wildlife Board governing species of aquatic animals which may be imported into the state or possessed or transported within the state that are applicable to aquaculture or fee fishing facilities. The department is also directed to coordinate with the Division of Wildlife Resources: on the suitability of the proposed site relative to potential impacts on adjacent aquatic wildlife populations; and in determining which species the holder of the certificate of registration may propagate, possess, transport, or sell. These directives are reiterated in R58-17-5, and R58-15-6.

Robert Judd had issue with proposed new language in R58-17-8 stating that the Division must review COR applications to ensure site suitability and allowable species. They would have less concerns if "must" was replaces with can, may or shall. It was pointed out that the Department is directed to consult with the Division on site suitability and species allowed in Title 4, R58-17-5, and R58-16-7. The new language just clarified the level of communication/coordination between the two agencies.

Bluegill and Bass Inspections

A Variance granted in 2011 which allowed for sampling 30 bluegill and 30 bass instead of 60 fish of each species. This was to reduce inspection costs. The Variance expires March 31, 2016. Bluegill and Bass are equally susceptible to prohibited pathogens. The Division often samples 30 fish of each species for fish health approval of reservoirs.

The current inspection requirements are the following:

R58-17-15. Aquatic Animal Health Approval

(B) Basis for Health Approval:

(1) Health approval for salmonid aquatic animals is based on the statistical attribute sampling of each lot of aquatic animals at the facility in accordance with current Blue Book procedures. This shall require minimum sampling at the 95% confidence level, assuming a 5% carrier prevalence for the prohibited pathogens, pursuant to R58-17-15(D)(2) and (3). Health approval is applied to the entire facility, not individual lots of fish.

(2) All lots of fish shall be sampled

(6) Health approval for non-salmonid aquatic animals is based on specific pathogen testing for that identified aquatic animal as per R58-17-15(D).

(C) Approval Procedures:

(3) Applicable to non-salmonid aquatic animals:

(a) For approval of facilities, one inspection of aquatic animals to be approved from the pond, reservoir, or holding facility and negative testing of an appropriate attribute sample for any applicable prohibited pathogen pursuant to R58-17-15(D)(2) and (3) is required. A composite sample of 60 fish of the same lot from all ponds in the shipment from the same water source may be accepted in lieu of a full attribute sample.

Proposed change to Requirements

The proposed change would formalize agreement between Division of Wildlife and Department of Agriculture and Food.

Specify in agreement in rule:

(i) If bass and bluegill occupy the same pond throughout their life history, a sample of 30 fish from each species may be used for virology testing.

(ii) If bass and bluegill occupy separate ponds at a facility, 60 fish must be tested for each species.

The Private Aquaculture representatives on the Fish Health Policy Board and the Division were in favor of including an exception for Centrarchids (bluegill and bass) that occupy the same water and have the same life histories. Most centrarchids are equally susceptible to fish pathogens. If species of centrarchids cohabitate, then a statistical attribute sample can be composed of 50% of each species. The change could potentially save both the Division and aquaculture on cost associated with disease testing.

Centrocestus parasite

The proposal is to change the designation on *Centrocestus formosanus* with a ** to denote that this pathogen can only be transmitted in fish and not in the eggs, therefore permitting the special provisions for egg only sources provided in R58-17-2(A)(10) and R58-17-15(B)(5).

Escargot Snails

"Escargot" most commonly refers to either Helix aspersa or to Helix pomatia, although other varieties of snails are eaten. (Both species native to Europe). Helix aspersa was brought to CA early 1800. Now common thorough US and Utah. They are considered an invasive, prohibited species (need Certification Review Committee approval for COR). They are considered tasty (by some) – sell to restaurants. Lucrative – sail slime in cosmetics. Fish Health Rule and Blue book do not address Snails.

Triploid grass carp

To import live grass carp (*Ctenopharyngodon idella*), the fish must be verified as being triploid (sterile) by a laboratory and method acceptable to the Department. A U.S. Fish and Wildlife Service triploid verification form must be obtained from the supplier as required in R657-16-7. If imported and grown out at an aquaculture facility, would we require triploidy testing prior to sale?

There is no immediate need to take action. It was decided to discuss this topic at the next meeting.

Variance Proposal (handout) – Anna Marie Forest.

Dennis Blackburn would like to move fish out from the Kerry Nelson's pond outside of Ephraim to his Pinecreek Trout facility in Bicknell. This is to be a one-time move of 200 – 400 largemouth bass. The reason is that Mr. Kerry Nelson does not wish to become a certified facility. Mr. Nelson wishes to sell to Mr. Blackburn. Mr. Blackburn would like to use the fish as broodstock. The Nelson Pond was inspected on 11/8/2006 by DWR, Fish Health Approval Number: DWR06-091. The Fish health approval expired on 11/8/07. Mr. Blackburn sees the benefit as establishing an instate source for largemouth bass. The risk is that you are moving fish with a prohibited pathogen. The detection of a prohibited pathogen may result in quarantine of Pine Creek Trout Farm and destruction of the affected fish.

The variance was denied.

Aquatic Invasive Species (AIS) update

There has been some research going on with New Zealand mud snails. There is a trial on native versus NZMS progressing as well. AIS Coordinator Jordan Nielson is moving on from DWR to Trout Unlimited.

Management Hardship Transfer

In August 2015 there was a transfer of Colorado River Cutthroat Trout from North Fork to Middle Fork of Sheep Creek. This is on the North Slope of the Uintah's. This is an important Conservation Population. The reason for the transfer: rotenone treatment planned.

The fish were transported by helicopter. 274 fish transported to Beaver Dam Park area. 555 fish transported upstream to Lost Lake. These are future wild broodstock for species recovery. All fish appeared healthy.

Robert Judd objected to this transfer. He said this situation does not meet the criteria for a hardship transfer. It should have gone through the variance framework. Mike Canning felt that there was potential for abuse with the management transfer process. He agreed with Robert that this situation calls for a variance rather than a hardship transfer. Paul Evans also stated that this should have been a variance.